

### REMARKS

The above-listed amendment has been presented in the previous response. However, in the Advisory Action dated on June 30, 2004, the Examiner asserts that these amendments raise new issues and require further consideration and search. As discussed in the previous response and a few telephone conversations, the Applicants believe that since the amendment only incorporates the feature of claim 2 into the independent claims (such feature is recited by the previous claims and has been examined by the Examiner), no new search is required and the Examiner is respectfully requested to enter this amendment. In any case, the amendment has to be entered now since a RCE has been filed.

Claim 22 has been further amended to more clearly recite the features of the present application. Support for the amendment can be found, e.g., at pages 10-13 of the specification.

In section 1 of the final Office Action, the Examiner rejects claims 1, 3, 7-9, 11, 13, 15, 16, 20 and 21 under 35 USC 102(e) as being anticipated by Koshima et al. (US Patent No. 6,415,155). Moreover, in section 2, claims 2, 4, 5, 17, 18, and 22-26 are rejected under 35 USC 103(a) as being unpatentable over Koshima et al. in view of Seraj (US Patent No. 6,055,434). In section 3, claim 6 is rejected under 35 USC 103(a) as being unpatentable over Koshima et al. in view of Seraj and in further view of Asahi (EP 0785 535). In section 4, claim 14 is rejected under 35 USC 103(a) as being unpatentable over Koshima et al. in view of Walsh (US Patent No. 6,603,977). These rejections are respectfully traversed.

Koshima et al., Seraj, Asahi and Walsh, standing alone or in combination, fail to disclose, teach, or suggest, *inter alia*, the following features recited by the amended claim 1 of the present application:

"extracting local information from transmitted data received from a transmission source by the short-range communication sub-system, the local information being information, other than location information, about a local business or landmark"; and

"using the locality indicator and local information in combination as characterising data to access a data record associated with the source of the transmitted data, and using that data record to retrieve specific information related to the current location of the mobile device".

Koshima et al. discloses a location system to identify the position of a mobile terminal that

can communicate based on a repeater installed in a radio zone. In Koshima et al., signal strength measures are used to determine location. There are two sets of signal strength readings. The first set is associated with signals sent by repeaters 5 of a PHS system and the second set is associated with signals from ID transmitters 6. In order to effect location determination, it is necessary for the ID of each transmitter 6 to be extracted from the information sent by the transmitter and the examiner is apparently equating this to the extraction of "local information" from "transmitted data received from a transmission source by the short-range communication sub-system" as set out in claim 1.

However, clearly Koshima does not disclose the **local** information derived from the short-range transmitters being information "about a local business or landmark", as recited by claim 1 of the present application.

In section 2, the Examiner acknowledges that Koshima does not teach that the local information is information about a local business or landmark. However, he asserts that Seraj teaches such feature and that it would have been obvious to provide the teaching of Seraj into the system of Koshima "in order to provide coverage for a limited geographic area which is smaller than the cell area". The Applicants respectfully disagree.

Seraj discloses a system for determining the current geographic location of a mobile station. Seraj uses short-range beacons that transmit identification data. A mobile station then picks up the ID transmitted by a nearby beacon and this ID is used by the cellular radio infrastructure to locate the mobile station. As stated in col. 3, line 50, each beacon broadcasts a unique ID. The unique ID is then mapped to location (see col. 5 lines 21-25).

Seraj does not disclose the local information derived from the short-range transmitters being information "about a local business or landmark". The Examiner asserts that Seraj does disclose the local information being "about a local business or landmark" and references col. 3, lines 23-55. However, the Applicants can find nothing in that passage that supports the his position. Certainly a beacon 190 could be placed on a local landmark (for example) but this is not the same at all as having the beacon transmit information (not being location information) about the landmark. The beacon ID is not information about the landmark, merely a beacon identifier. There is no disclosure that a beacon identifier could be a description of the landmark on which it is mounted.

Asahi and Walsh have been discussed in the previous response. The Examiner does not

show that Asahi or Walsh teaches the above-quoted features of claim 1. It seems that Asahi and Walsh are cited only with respect to features recited by claim 6 and claim 14. Thus, the Applicants believe that claim 1 is patentable over the cited references.

Similarly, claim 16 recites, in part, "a second data-capture arrangement for capturing local information by extracting it from transmitted data received from a transmission source using the short-range radio communication sub-system, the local information concerning information, other than location information, about a local business or landmark". Claim 22 recites, in part, "storing in a database a plurality of data records each associated with a respective fixed short-range transmitter and holding items of local information, about a local business or landmark, that are included in data transmitted by the corresponding transmitter, each data record being further associated with a locality indicator indicating the locality of the transmitter associated with the record. Claim 24 recites, in part, "a database in which a plurality of data records each associated with a respective fixed short-range transmitter and each holding both items of local information, about a local business or landmark, in data transmitted by the corresponding transmitter and respective further information, each data record being further associated with a locality indicator indicating the locality of the transmitter associated with the record." Claims 16, 22 and 24 are patentable, for the same reasons as claim 1. Claims 4-5, 6-15, 18-21, 23 and 25 are patentable, at least by virtue of their dependency from claims 1, 16, 22 or 24.

The Applicants have attempted to address all of the issues raised by the Examiner in the Office Action as the Applicants understand them. It is believed that the application is now in condition for allowance. If any point requires further explanation, the Examiner is invited to telephone Troy Cai at (323) 934-2300 or e-mail Troy Cai at tc@ladasparry.com.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

Enclosed please find a copy of Troy Guangyu Cai's Notice of Limited Recognition under 35 CFR 10.9(b) to prepare and prosecute patent applications wherein the patent applicant is a client of Ladas & Parry, and the attorney of record in the applications is a registered practitioner who is a

member of Ladas & Parry.

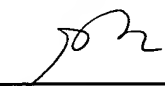
I hereby certify that this correspondence is being deposited with the  
United States Post Office with sufficient postage as first class mail in  
an envelope addressed to: Commissioner For Patents, PO Box  
1450, Alexandria, VA 22313-1450 on

July 29, 2004

\_\_\_\_\_  
(Date of Deposit)


Troy Guangyu Cai

\_\_\_\_\_  
(Name of Applicant, Assignee or Registered Representative)

  
\_\_\_\_\_  
(Signature)

7/29/04  
\_\_\_\_\_  
(Date)

Respectfully submitted,

  
\_\_\_\_\_  
Troy Guangyu Cai

Attorney for Applicant

LADAS & PARRY

5670 Wilshire Blvd., Suite 2100

Los Angeles, California 90036

(323) 934-2300